

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, :

Plaintiff, :

-against- :

ENCYCLOPAEDIA IRANICA FOUNDATION, :

Defendant. :

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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

ORDER

19-CV-7465 (AT)(KNF)

A telephone conference was held with counsel to the respective parties on July 1, 2020, to address certain disputes that had been brought to the Court's attention via correspondence. *See* Docket Entry Nos. 57,58, 60 and 63. As a result of the discussion had during the conference, I T IS HEREBY ORDERED that:

1) all communications with the vendor performing the relevant inventory shall be on notice to all parties to the action; no *ex parte* communication is to be had by a party to the action with the vendor;

2) the plaintiff shall advise the defendant, expeditiously, whether the apartment previously occupied by Professor Ehsan Yarshater is unoccupied and empty; and

3) the plaintiff shall, on or before July 15, 2020, submit an affidavit to the Court from the plaintiff's chief health and safety officer explaining, with particularity, why the unoccupied space(s) at 450 Riverside Drive, New York, New York, where the above-referenced inventory must be conducted cannot be entered by the inventory vendor and a representative of each party, until, owing to the present pandemic, a global protocol is established by the plaintiff's university for entering into every office under the university's control, regardless of whether the office is at

present occupied by any of the plaintiff's personnel. If the relevant space(s) at 450 Riverside Drive may be entered safely, without awaiting the establishment by the plaintiff of a global protocol covering entry into every office under the university's control, the affiant shall indicate that and set forth the procedure to be followed that will permit the inventory vendor and the parties' respective representatives to enter the relevant space(s) safely ahead of the establishment of the above-referenced global protocol.

Dated: New York, New York

July 3, 2020

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE